

Understanding **Illegal** vs. **Legal** Interview Questions

INQUIRY AREA	ILLEGAL QUESTIONS	LEGAL QUESTIONS
National Origin/ Citizenship	<ul style="list-style-type: none"> Are you a U. S. citizen? Where were you/your parents born? Of what country are you a citizen? 	<ul style="list-style-type: none"> Are you authorized to work in the United States?
Language	<ul style="list-style-type: none"> What is your native language? 	<ul style="list-style-type: none"> What languages do you read/speak/write fluently? (This question is ok only if this ability is relevant to the performance of the job; for example, if a position requires knowledge of Russian, you may ask this question.)
Race/Color/ Religion	<ul style="list-style-type: none"> All questions are illegal. 	<ul style="list-style-type: none"> There are no legal questions.
Age	<ul style="list-style-type: none"> How old are you? When did you graduate high school/college? What's your birth date? 	<ul style="list-style-type: none"> Are you over the age of 18?
Marital/ Family Status	<ul style="list-style-type: none"> What's your marital status? With whom do you live? Do you plan to have a family? How many children do you have? What are your child-care arrangements? 	<ul style="list-style-type: none"> Would you be willing to relocate if necessary? Would you be able and willing to travel as needed for the job? Would you be able and willing to work overtime as necessary? (These questions are okay if asked of <u>all</u> applicants.)
Affiliations	<ul style="list-style-type: none"> What clubs or social organizations do you belong to? 	<ul style="list-style-type: none"> List any professional or trade groups or other organizations that you consider relevant to your ability to perform this job.
Personal	<ul style="list-style-type: none"> How tall are you? How much do you weigh? (Questions about height and weight are not acceptable unless minimum standards are essential for safe performance of the job.) 	
Disabilities	<ul style="list-style-type: none"> Do you have any disabilities? Please complete the following medical history. Have you had any recent or past illnesses or operations? If yes, list them and give dates when these occurred. What was the date of your last physical exam? How's your family health? When did you lose your eyesight? How? Do you need an accommodation to perform the job? (This question can be asked only after a job offer has been made.) 	<ul style="list-style-type: none"> Are you able to perform all the essential functions of the job? (This question is okay if the interviewer has thoroughly described the job.) For example: for a position that requires lifting over 30 lbs. – can ask “are you able to lift 30 lbs.?” Can you demonstrate how you perform the following job-related functions? As part of the hiring process, after a job offer has been made, you will be required to undergo a medical exam. (Exam results must be kept strictly confidential, except medical/safety personnel may be informed if emergency medical treatment is required, and supervisors may be informed about necessary job accommodations, based on exam results.)

Arrest Record	<ul style="list-style-type: none"> • Have you ever been arrested? 	<ul style="list-style-type: none"> • Have you ever been convicted of a crime? (You must state that a conviction will be considered only as it relates to fitness to perform the job being sought; for example, if the position requires the ability to obtain a security clearance.)
Military	<ul style="list-style-type: none"> • If you've been in the military, were you honorably discharged? 	<ul style="list-style-type: none"> • What type of training or education did you receive in the military?